

Message Text

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PAGE 01 MUSCAT 00794 170455Z
ACTION EB-07

INFO OCT-01 NEA-10 ISO-00 L-03 /021 W
-----170801Z 033148 /14

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FM AMEMBASSY MUSCAT
TO USDOC WASHDC
INFO SECSTATE WASHDC 3261

UNCLAS MUSCAT 0794

USDOC FOR CAGNE

E.O. 11652: N/A
TAGS: BEXP MU
SUBJECT: ARBITRATION RULES AND REGULATIONS

REF: STATE 104396

1. NO TEXTS OF LAWS OR REGULATIONS GOVERNING ARBITRATION PROCEDURES IN OMAN ARE AVAILABLE. THE BODY THAT ARBITRATES BUSINESS CONTROVERSIES IS CALLED THE "COMMITTEE FOR THE SETTLEMENT OF COMMERCIAL DISPUTES". IT IS COMPOSED OF THE CHAIRMAN OF THE CHAMBER OF COMMERCE, THREE DESIGNEES OF THE MINISTRY OF COMMERCE AND INDUSTRY, AND FIVE SELECTED LOCAL MERCHANTS. IT OPERATES ALONG ARBITRATION LINES--I.E. IT SEEKS A SETTLEMENT MUTUALLY AGREEABLE TO THE PARTIES--BUT ITS JURISDICTION IS MANDATORY AND ITS DECISIONS ARE BINDING. THERE IS NO APPEAL FROM ITS DECISIONS.

2. CONTRARY TO OUR EARLIER INFORMATION, WE UNDERSTAND THAT THIS BODY'S JURISDICTION DOES RPT DOES COVER FOREIGN FIRMS INVOLVED LOCALLY IN PRIVATE COMMERCIAL DISPUTES. AS FOR DISPUTES WHERE AN OMANI GOVERNMENT ENTITY IS A PARTY, THE PICTURE IS UNCLEAR. PROBABLY THE GOVERNMENT WOULD NOT BE OBLIGED TO SUBMIT TO THE BODY'S JURISDICTION, BUT IN A CLEARLY COMMERCIAL-TYPE DISPUTE IT COULD
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DO SO IF IT WISHED. MOST CONTROVERSIES BETWEEN THE GOVERNMENT AND FOREIGN FIRMS ARE, IN OUR EXPERIENCE, HANDLED BY DIRECT NEGOTIATION. SIZER

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Message Attributes

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